

Patent

Attorney's Docket No. 032396-043

Applicant or Patentee: Jim A. Wright, Aiping H. Young and Yoon S. Lee

Application or Patent No.: 09/296,264

Filed or Issued: April 22, 1999

For: NEUROPILIN ANTISENSE OLIGONUCLEOTIDE SEQUENCES AND METHODS OF USING SAME TO MODULATE CELL GROWTH

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN GeneSense Technologies, Inc.

ADDRESS OF CONCERN Sunnybrook HSC, Room S-115, 2075 Bayview Avenue, Toronto,
Ontario, Canada M4N 3M5

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 1.21 for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average, over the previous fiscal year of the concern, of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled NEUROPILIN ANTISENSE OLIGONUCLEOTIDE SEQUENCES AND METHODS OF USING SAME TO MODULATE CELL GROWTH by inventor(s) Jim A. Wright, Aiping H. Young and Yoon S. Lee described in

- ☐ the specification filed herewith
☒ Application No. 09/296,264, filed April 22, 1999
☐ Patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below,* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

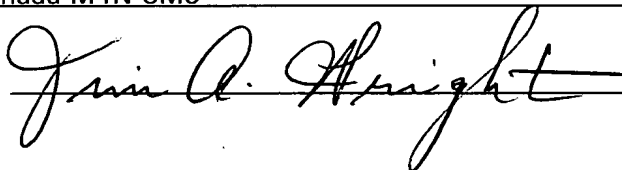
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Jim A. Wright

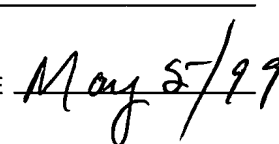
TITLE OF PERSON OTHER THAN OWNER President and Chief Scientific Officer

ADDRESS OF PERSON SIGNING Sunnybrook HSC, Room S-115, 2075 Bayview Avenue, Toronto
Ontario, Canada M4N 3M5

SIGNATURE



DATE



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NEUROPILIN ANTISENSE OLIGONUCLEOTIDE SEQUENCES AND

METHODS OF USING SAME TO MODULATE CELL GROWTH

the specification of which (check only one item below):

☐ is attached hereto.

☒ was filed as United States application

Number 09/296,264

on April 22, 1999

and was amended

on _____ (if applicable).

☐ was filed as PCT international application

Number _____

on _____

and was amended under PCT Article 19

on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(e) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119:

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. § 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

60/082,791

(Application Number)

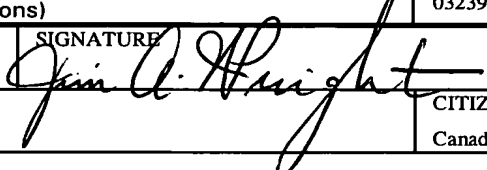
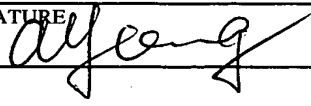
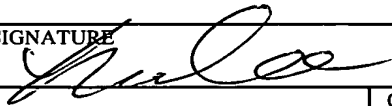
April 23, 1998

(Filing Date)

(Application Number)

(Filing Date)

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONTINUED) (Includes Reference to Provisional and PCT International Applications)				ATTORNEY'S DOCKET NO. 032396-043	
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:					
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:					
U.S. APPLICATIONS			STATUS (check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NUMBERS ASSIGNED (if any)			
I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:					
William L. Mathis Peter H. Smolka Robert S. Swecker Platon N. Mandros Benton S. Duffett, Jr. Norman H. Stepno Ronald L. Grudziecki Frederick G. Michaud, Jr. Alan E. Kopecki Regis E. Slutter Samuel C. Miller, III Ralph L. Freeland, Jr. Robert G. Mukai	17,337 15,913 19,885 22,124 22,030 22,716 24,970 26,003 25,813 26,999 27,360 16,110 28,531	George A. Hovanec, Jr. James A. LaBarre E. Joseph Gess R. Danny Huntington Eric H. Weisblatt James W. Peterson Teresa Stanek Rea Robert E. Krebs William C. Rowland T. Gene Dillahunty Patrick C. Keane Bruce J. Boggs, Jr. William H. Benz	28,223 28,632 28,510 27,903 30,505 26,057 30,427 25,885 30,888 25,423 32,858 32,344 25,952	Peter K. Skiff Richard J. McGrath Matthew L. Schneider Michael G. Savage Gerald F. Swiss Michael J. Ure Charles F. Wieland III Bruce T. Wieder Todd R. Walters Ronni S. Jillions Harold R. Brown III Allen R. Baum Steven M. du Bois	31,917 29,195 32,814 32,596 30,113 33,089 33,096 33,815 34,040 31,979 36,341 36,086 35,023
and: <u>Leslie A. Mooi, Reg. No. 37,047</u>					
Address all correspondence to:		Gerald F. Swiss, Esq. BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404			
Address all telephone calls to:		<u>Leslie A. Mooi</u>		at (703) 836-6620 (650) 854-7400 (650) 622-2500	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONTINUED) (Includes Reference to Provisional and PCT International Applications)		ATTORNEY'S DOCKET NO. 032396-043	
FULL NAME OF SOLE OR FIRST INVENTOR Jim A. Wright		SIGNATURE 	DATE 12/05/99
RESIDENCE Apt. 902-5418 Yonge Street, Toronto, Ontario, Canada M4N 6X4		CITIZENSHIP Canada	
POST OFFICE ADDRESS same as above			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Aiping H. Young		SIGNATURE 	DATE 12/05/99
RESIDENCE Apt. 508, 88 Grandview Way, Toronto, Ontario, Canada M2N 6V4		CITIZENSHIP Canada	
POST OFFICE ADDRESS same as above			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY Yoon S. Lee		SIGNATURE 	DATE 12/05/99
RESIDENCE Apt. 1412-10 Grenoble Drive, Don Mills, Ontario, Canada M3C 1C7		CITIZENSHIP Canada	
POST OFFICE ADDRESS same as above			